REMARKS

I. Summary of the Examiner's Action

A. Claim Rejections

As set forth in paragraph 4 on page 4 of the July 10 Office Action, claims 1 - 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by International Application No. WO 00/20962 to Coffman *et al.* (hereinafter "Coffman" or "the Coffman reference").

These rejections are respectfully disagreed with, and traversed below.

II. Applicant's Response – Claim Rejections

A. Rejection of Claims 1 – 18 under 35 U.S.C. § 102(b)

1. Propriety of a 35 U.S.C. § 102(b) Rejection

Applicants respectfully reproduce claim 1 here as a convenience to the Examiner (emphasis added):

1. A method of operating a mobile device, the method comprising:

maintaining a profile of voice user interface capabilities associated with the device;

storing an application having voice user interface features on the device or on a server in communication with the device;

examining at least part of the profile; and

using voice user interface features of the application which are appropriate to the profile and refraining from using inappropriate features.

Applicants respectfully submit that the emphasized portions of claim 1 simply are not found in Coffman. Accordingly, an anticipation rejection based solely on Coffman is insufficient and should be withdrawn.

In particular, the Coffman reference is primarily concerned with the details of an operating system that has conversational capability. It is not seen what relevance the relied-upon portions have to do with the specific subject matter of claim 1. For example, claim 1 recites "maintaining a profile of voice user interface capabilities associated with the *device*." The relied-upon portion of Coffman appearing at page 20 lines 24 – 31 is reproduced here:

> "The conversational resource manager 220 determines what conversational engines 208 are registered (either local conversational 208 and/or network-distributed resources), the capabilities of each registered resource, and the state of each registered resource. In addition, the conversational resource manager 220 prioritizes the allocation of CPU cycles or input/output priorities to maintain a flowing dialog with the active application (e.g., the engines engaged for recognizing or processing a current input or output have priorities). Similarly, for distributed applications, it routes and selects the engine and network path to be used to minimize any network delay for the active foreground process."

It is not seen where "maintaining a profile of voice user interface capabilities associated with the device" is either described or suggested by this portion of Coffman. The conversational resource manager as described in Coffman is part of an operating system and it is not seen where aspects of a device as required by this portion of claim 1 is either described or suggested.

Claim 1 further recites "examining at least part of the profile". As set forth above, the relied-upon portions of Coffman concern an operating system and not a device. As is apparent from this portion appearing at page 19, line 26 – page 20, line 18 relied upon in rejecting this portion of claim1, device aspects are not the focus but rather the details of the operating system continue to be the focus:

> "The core CVM kernel layer 202 comprises programming layers such as a conversational application & behavior/service manager layer 215, a conversational dialog manager (arbitrator) layer 219, a conversational resource manager layer 220, a task/dispatcher manager 221 and a meta information manager 220, which provides the core functions of the CVM layer 202. The conversational application and behavior/service manager layer 215 comprises functions for managing the conventional and conversationally aware applications 200 and 201. Such management functions include, for example, keeping track of which applications are registered (both local and network-distributed), what are the dialog interfaces (if any) of the applications, and what is the state of each application. In addition, the conversational application and services/behavior manager 20 initiates all the tasks associated with any specific service or behavior provided by the CVM system. The conversational services and behaviors are all the behaviors and features of

a conversational UI that the user may expect to find in the applications and interactions, as well as the features that an application developer may expect to find in the applications and interactions, as well as the features that an application developer may expect to be able to access via APIs (without having to implement with the development of the application). Examples of the conversational services and behaviors provided by the CVM kernel 202 include, but are not limited to, conversational categorization and meta-information, conversational object, resource and file management, conversational search, conversational selection, conversational customization, conversational security, conversational help, conversational prioritization, conversational resource management, output formatting and presentation, summarization, conversational delayed actions/agents/memorization, conversational logic, and coordinated interfaces and devices (each of which is explained in detail herein). Such services are provided through API calls via the conversational application API layer 203. The conversational application and behavior/services manager 215 is responsible for executing all the different functions needed to adapt the UI to the capabilities and constraints of the device, application and/or user preferences."

Since this portion and the other portion are concerned with the operating system of Coffman, it is not seen how they can describe or suggest "examining at least port of the profile" where that profile concerns a device.

Claim 1 further recites "using voice user interface features of the application which are appropriate to the profile and refraining from using inappropriate features". Again as, the profile concerns a device it is not seen how portions of Coffman that

concern an operating system are relevant to this portion of the claim. For example, the Examiner relied upon the following portion of Coffman appearing at page 13, lines 9 – 13 (reproduced here) in rejecting this portion of the claim:

> "In general, conversational sub-systems 18 are responsible for converting voice requests into queries and converting outputs and results into spoken messages using the appropriate data files 17 (e.g., contexts, finite state grammars, vocabularies, language models symbolic maps etc.) The conversational application API 13 conveys all the information for the CVM 14 to transform queries into application calls and conversely converts output into speech, appropriately sorted before being provided to the user."

Since this portion again concerns Coffman's operating system, it is not seen where the relevant portion of claim 1 which is device-specific is either described or suggested.

Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn. Applicants submit that independent claims 6, 11, 16 and 17 are allowable for reasons similar to those set forth above with respect to claim 1. As a result, Applicants request that the rejection of independent claims 6, 11, 16 and 17 be withdrawn as well. Applicants further submit that the dependent claims are allowable as depending from an allowable base claim.

III. Conclusion

The Applicant submits that in light of the foregoing remarks the application is now in condition for allowance. Applicant therefore respectfully requests that the outstanding rejections be withdrawn and that the case be passed to issuance.

Respectfully submitted,

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10/17/2008 — Elaine F. Main

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